

Notice of Allowability

Application No.

10/600,184

Examiner

Hong Cho

Applicant(s)

PATIL ET AL.

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 6/22/2007.
2. ☒ The allowed claim(s) is/are 1,6,9,10,13,22,24-26,37-41,43-49 and 53-58 (renumbered 1-27, respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Reasons for Allowance

1. Claims 1, 6, 9, 10, 13, 22, 24-26, 37-41, 43-49 and 53-58 are allowed.

The following is an examiner's statement for reasons for allowance.

Claim 1 is allowable over the prior art of record since the cited references taken individually or in combination fail to particularly teach or fairly suggest a primary destination switch releasing the switched-permanent virtual circuit (SPVx) connection after there is a fault detected on the primary path, the primary source switch making multiple attempts to reestablish the SPVx connection with the primary destination node after a failure is detected on the primary path, the primary source switch redirecting automatically the SPVx connection to the alternate destination node, the primary source switch re-establishing the SPVx connection to the primary destination node when the failure condition clears.

Claim 6 is allowable over the prior art of record since the cited references taken individually or in combination fail to particularly teach or fairly suggest an alternate source node in communication with the alternate source switch, the alternate source switch re-establishing automatically the connection to the primary destination node along an alternate path when the primary source switch detects a failure of the primary path, the alternate path formed by the alternate source node and the primary destination node only after the primary path experiences a failure, the primary source switch in communication with the alternate source switch to identify to the alternate source switch there is a failure in regard to the primary path, the alternate source switch re-establishes the SPVx connection from the primary source node to the primary destination node when the failure clears.

Claim 22 is allowable over the prior art of record since the cited references taken individually or in combination fail to particularly teach or fairly suggest forming an SPVx connection between a primary source node and a primary destination node, detecting a failure on a primary path having the primary source node, communicating between a primary source switch in communication with the primary source node and an alternate source switch in communication with an alternate source node to identify to the alternate source switch there is a failure in regard to the primary source node, re-establishing automatically the SPVx connection with the alternate source node along an alternate path having the primary destination node and re-establishing the SPVx connection from the primary source switch to the primary destination node after the failure has cleared.

Claim 37 is allowable over the prior art of record since the cited references taken individually or in combination fail to particularly teach or fairly suggest establishing a single end-to-end connection across a network between a primary source node and a primary destination node with multiple re-route options, experiencing a failure in the connection, re-routing the connection across the network between the primary source node and an alternate destination node along one of the multiple re-route options by maintaining just one end- to-end connection between the primary source node and the primary destination node, trying to restore the SPVx connection with the primary destination node and re-establishing the end-to-end connection through the primary source switch when the failure clears.

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong Cho whose telephone number is 571-272-3087. The examiner can normally be reached on Mon-Fri during 7 am to 4 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


WING CHAN 8/1/07
SUPERVISORY PATENT EXAMINER

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Hong Cho
Patent Examiner
8/1/07